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17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 FOURTH AGE LTD., *et al*,

Case No. 12-9912-ABC (SHx)

20 Plaintiffs,

DISCOVERY MATTER

21 v.

22 **WARNER AND ZAENTZ'S JOINT**
SUBMISSION PURSUANT TO JULY
22, 2014 ORDER

23 WARNER BROS. DIGITAL
24 DISTRIBUTION, *et al*,

25 Defendants.
Judge: Hon. Audrey B. Collins
Magistrate: Hon. Stephen J. Hillman

26

WARNER BROS. DIGITAL
27 DISTRIBUTION INC., *et al*,

28 **Discovery Cut-Off:** July 29, 2014

29 Counterclaim
30 Plaintiffs,

31 v.

32 FOURTH AGE LTD., *et al*,

33 Counterclaim
34 Defendants.

1 Pursuant to the Court’s July 22, 2014 Order Regarding Warner’s and
2 Zaentz’s Motion to Compel Documents and Supplemented Privilege Log (Dkt.
3 280), defendants and counterclaim plaintiffs Warner Bros. Home Entertainment
4 Inc., Warner Bros. Entertainment Inc., Warner Bros. Consumer Products Inc. and
5 New Line Productions, Inc. (collectively, “Warner”), and defendant and
6 counterclaim plaintiff The Saul Zaentz Company (“Zaentz”), hereby identify the
7 following documents logged on plaintiffs’ privilege log (Dkt. 243-1, 243-2, 243-3)
8 and redaction log (attached hereto as **Exhibit A**) for the Court’s *in camera* review.

A. Entries Related to Issue Nos. 3 and 5

10 Warner and Zaentz identify the following 100 documents for the Court's *in*
11 *camera* review in connection with Issue Nos. 3 and 5 in the Joint Stipulation
12 Regarding Warner's and Zaentz's Motion to Compel Documents and Supplemented
13 Privilege Log (the "Joint Stipulation") (Dkt. 242-1). The numbers below
14 correspond to the entry numbers on the privilege log. The bates numbers below
15 correspond to entries on the redaction log.

16	1.	9	13.	155
17	2.	10	14.	170
18	3.	16	15.	172
19	4.	17	16.	173
20	5.	18	17.	174
21	6.	49	18.	202
22	7.	59	19.	213
23	8.	86	20.	240
24	9.	99	21.	241
25	10.	100	22.	244
26	11.	146	23.	250
27	12.	153	24.	252

1	25.	518	52.	1286
2	26.	842	53.	1289
3	27.	852	54.	1315
4	28.	936	55.	1324
5	29.	992	56.	1326
6	30.	1005	57.	1334
7	31.	1040	58.	1369
8	32.	1062	59.	1418
9	33.	1072	60.	1433
10	34.	1088	61.	1457
11	35.	1090	62.	1470
12	36.	1091	63.	1524
13	37.	1098	64.	1525
14	38.	1106	65.	1575
15	39.	1107	66.	1801
16	40.	1131	67.	1828
17	41.	1151	68.	1829
18	42.	1166	69.	2057
19	43.	1167	70.	2127
20	44.	1185	71.	2129
21	45.	1202	72.	2158
22	46.	1212	73.	2191
23	47.	1221	74.	2196
24	48.	1223	75.	2198
25	49.	1253	76.	2200
26	50.	1262	77.	2202
27	51.	1276	78.	2237
28				

1	79.	2315	90.	2723
2	80.	2413	91.	2724
3	81.	2414	92.	2727
4	82.	2575	93.	PLAINTIFFS012605
5	83.	2608	94.	PLAINTIFFS013723
6	84.	2633	95.	PLAINTIFFS013754
7	85.	2634	96.	PLAINTIFFS039736
8	86.	2696	97.	PLAINTIFFS043480
9	87.	2710	98.	PLAINTIFFS043711
10	88.	2720	99.	PLAINTIFFS044225
11	89.	2722	100.	PLAINTIFFS044233

B. Entries Related to Issue No. 4

Warner and Zaentz identify the following 50 documents for the Court's *in camera* review in connection with Issue No. 4 in the Joint Stipulation. As in Section A, the numbers correspond to the entry numbers on plaintiffs' privilege log, while the bates numbers correspond to entries on plaintiffs' redaction log.

17	1. 135	12. 1092
18	2. 255	13. 1105
19	3. 865	14. 1110
20	4. 883	15. 1114
21	5. 894	16. 1278
22	6. 962	17. 1287
23	7. 983	18. 1326
24	8. 997	19. 1396
25	9. 998	20. 1425
26	10. 1017	21. 1428
27	11. 1029	22. 1429

1	23. 1430	37. 2124
2	24. 1431	38. 2217
3	25. 1461	39. 2305
4	26. 1468	40. 2644
5	27. 1469	41. 2698
6	28. 1545	42. 2718
7	29. 1551	43. 2721
8	30. 1738	44. 2725
9	31. 1741	45. PLAINTIFFS014153
10	32. 1932	46. PLAINTIFFS014286
11	33. 2031	47. PLAINTIFFS019664
12	34. 2104	48. PLAINTIFFS037209
13	35. 2108	49. PLAINTIFFS037403
14	36. 2122	50. PLAINTIFFS043462

15 The last document identified (PLAINTIFFS043462) does not appear on
16 either the privilege or redaction logs. This document was clawed back at the
17 deposition of Barry Clark on June 27, 2014, which was after plaintiffs served their
18 privilege log, and plaintiffs never supplemented that log.

19 **C. Individuals Named in Challenged Log Entries**

20 The Tolkien/HC Parties have not provided Warner or Zaentz with a list of the
21 individuals named in the privilege and redaction logs, or indicated which of these
22 individuals is an attorney. **Exhibit B**, attached hereto, is a list of the individuals
23 named in the entries identified above, their affiliation, and whether they are
24 attorneys based on the information available to Warner and Zaentz.

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28

1 Dated: August 4, 2014

Respectfully Submitted,

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3 O'MELVENY & MYERS LLP

4 By: /s/ Daniel M. Petrocelli

5 Daniel M. Petrocelli

6 Attorneys for Warner Defendants
7 and Counterclaim Plaintiffs

8 Dated: August 4, 2014

9 ARNOLD & PORTER LLP

10 By: /s/ Martin R. Glick

11 Martin R. Glick

12 Attorneys for Zaentz Defendants and
13 Counterclaim Plaintiffs

14 Pursuant to Local Rule 5-4.3.4(a)(2)(i), the filer attests that all other
15 signatories listed, and on whose behalf the filing is submitted, concur in the filing's
16 content and have authorized the filing.

17 Dated: August 4, 2014

18 O'MELVENY & MYERS LLP

19 By: /s/ Daniel M. Petrocelli

20 Daniel M. Petrocelli

21 Attorneys for Warner Defendants
22 and Counterclaim Plaintiffs